

rheumatism, suppuration of the eyes or ears, tumors, scrofula, suppurating fistulas and tumors which do not heal, some diseases of the sight, nervous affections, paralysis, lack of blood circulation, and certain other disorders, whereas, in truth and in fact, it was not effective.

On February 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8237. Misbranding of whole ground barley. U. S. \* \* \* v. New Richmond Roller Mills Co., a Corporation. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 11616. I. S. Nos. 18259-r, 18260-r.)**

On January 27, 1920, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New Richmond Roller Mills Co., a corporation, New Richmond, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 8, 1918, and November 6, 1918, from the State of Wisconsin into the State of Virginia, of quantities of an unlabeled article which was invoiced as "Whole Ground Barley," and which, in each shipment, was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 16, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8238. Adulteration of kidney beans. U. S. \* \* \* v. 569 Cases of Kidney Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11906. I. S. No. 8557-r. S. No. C-1704.)**

On February 2, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 569 cases, more or less, of kidney beans, at Chicago, Ill., alleging that the article had been shipped by the New Era Canning Co., New Era, Mich., on August 23, 1919, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "New Era Brand Red Kidney Beans \* \* \* Packed by New Era Canning Co. New Era, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On March 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8239. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D. No. 11978. I. S. No. 2717-r.)**

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about January 26, 1918, from the State of New York into the State of Colorado, of a quantity of an article, labeled in part "Extra Fine Imported Olive Oil Lemnos Brand \* \* \* Net Contents  $\frac{1}{4}$  Gallon," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents  $\frac{1}{4}$  Gallon," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained  $\frac{1}{4}$  gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained  $\frac{1}{4}$  gallon net of the article, whereas, in truth and in fact, each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8240. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25.**  
(F. & D. No. 11980. I. S. No. 11653-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Texas, of a quantity of an article, labeled in part "Monaho's Olio di Oliva Puro Termini Imerese \* \* \* Net Contents 1 Quart," which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 quart net of the article, whereas, in truth and in fact, each of said cans did not contain 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*